

Morning Hour Debates: Current House Practices

Updated April 6, 2009

Congressional Research Service

<https://crsreports.congress.gov>

RS20131

Summary

On Mondays and Tuesdays, the House of Representatives meets earlier than the hour established for that day's session for a period called "morning hour debates" (also known as "morning hour speeches"). This period provides a rare opportunity for non-legislative debate in the House; remarks in the House are usually limited to pending legislative business. During morning hour debates, individual Members deliver speeches on topics of their choice for up to five minutes. The majority and minority leaders give the Speaker a list showing how each party's time for morning hour debates will be allocated among its Members. The chair follows this list in recognizing Members for morning hour debates. At the conclusion of morning hour debates, the House recesses until the starting time for that day's session. This report examines current House practices for morning hour debates and how these debates are used. It will be updated if rules and procedures change.

Contents

Background	1
Governing Authorities	1
Days and Meeting Times	2
Recognition Practices	2
Reservation Requirements.....	3
Various Uses of Morning Hour Debates.....	3

Contacts

Author Information.....	3
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Background

Morning hour debates have been a part of House floor procedure only since the 103rd Congress.¹ They began on February 23, 1994, for a 90-day trial period under procedures outlined in a joint leadership unanimous consent agreement (formally, “a standing order of the House”).² Morning hour debates were created, in part, to offset the new restrictions on special order speeches that took effect the same day. These restrictions, such as a ban on special orders after midnight and a four-hour limitation on longer special orders, scaled back opportunities for non-legislative debate available through special orders.³

The 1994 agreement establishing morning hour debates for a 90-day trial period was later extended to cover the remainder of the 103rd Congress. Morning hour debates continued in the 104th Congress under a slightly modified unanimous consent agreement. The modification concerned the length and starting time of morning hour debates on Tuesdays “after the first Tuesday in May” (see the “Days and Meeting Times” section for more information). An identical unanimous consent agreement (agreed to on January 6, 2009) governs morning hour speeches in the 111th Congress.⁴

Governing Authorities

Morning hour debates are not provided for in the rules of the House. Instead, they are a *unanimous consent practice* of the chamber. The House gives unanimous consent to holding morning hour debates when it agrees to the joint leadership unanimous consent agreement governing these debates. In the 111th Congress, the chair refers to this agreement at the start of the morning hour debate period when he announces, “[p]ursuant to the order of the House of January 6, 2009, the Chair will now recognize ...” The unanimous consent agreement governs recognition for morning hour debates and establishes the days and meeting times for these debates (for more information, see later sections of this report).

During morning hour debates, Members must abide not only by the unanimous consent agreement but also by the rules of the House, the chamber’s precedents, and the Speaker’s announced policies. Relevant House rules include those governing debate, decorum, and the Speaker’s power of recognition. House precedents discuss how the chamber has interpreted and applied its rules.⁵ There is not an established body of precedents for morning hour debates because these debates are a relatively new feature of House floor procedure.

The term “Speaker’s announced policies” refers to the Speaker’s policies on certain aspects of House procedure such as decorum in debate, the conduct of electronic votes, and recognition for

¹ Under House Rules XVII, clause 1(b), a Member “shall be confined to the question under debate.” Besides morning hour debates, one-minute speeches (usually at the start of every day) and special orders (5 to 60 minutes in length, usually at the end of every day) also provide opportunities for non-legislative debate in the House.

² The House consented to this agreement on February 11, 1994. *Congressional Record*, daily edition, vol. 140, February 11, 1994, p. H542.

³ These new restrictions were announced by the Speaker on February 11, 1994. *Congressional Record*, daily edition, vol. 140, February 11, 1994, p. H542.

⁴ *Congressional Record*, daily edition, January 6, 2009, p. H21.

⁵ These precedents are published in several parliamentary reference publications. For more information, see CRS Report RL30787, *Parliamentary Reference Sources: House of Representatives*, by Richard S. Beth and Megan Suzanne Lynch.

one-minute and special order speeches. While the Speaker's announced policies do not govern recognition for morning hour debates (the unanimous consent agreement governs recognition), they do regulate television coverage of morning hour debates. The Speaker's policies prohibit House-controlled television cameras from panning the chamber during the morning hour debate period. Instead, a caption (also called a "crawl") appears at the bottom of the television screen indicating that the House is conducting morning hour debates.⁶

Days and Meeting Times

Morning hour debates are in order only on Mondays and Tuesdays. They take place infrequently on Mondays because the House is not always in session that day.

The starting time and length of morning hour debates are established by the joint leadership unanimous consent agreement. The House convenes for *Monday* morning hour debates 90 minutes earlier than the time established for that day's session. For example, if the House is scheduled to meet at noon, the morning hour debate period begins at 10:30 a.m. The Monday morning hour debate period can last up to one hour, with a maximum of 30 minutes of debate on each side. The full hour is rarely used. *Tuesday* morning hour speeches on or before May 18, 2009, take place in the same manner as Monday morning hour debates. The agreement provides, however, that *Tuesday* morning hour debates after May 18, 2009, begin 60 minutes before the chamber's meeting hour for a maximum duration of 50 minutes, with 25 minutes allocated to each side.

The different procedures for *Tuesday* morning debates after early May were first established in the joint leadership unanimous consent agreement of May 12, 1995.⁷ These procedures, which are included in the agreement for the 111th Congress, are designed to accommodate the chamber's practice of convening earlier for legislative business after early May. In the 105th Congress, the procedures were only on those Tuesdays after early May when the House was scheduled to meet at 10:00 a.m.⁸ On Tuesdays after early May when the chamber's appointed meeting hour was a later time (e.g., 12:00 noon), the Tuesday morning debates took place in the same manner as Monday morning hour debates.

When Monday and Tuesday morning hour debates are completed, the House recesses until the meeting hour established for that day's session. The daily prayer, the pledge of allegiance, and approval of the previous day's *Journal* take place when the House meets after this recess.

Recognition Practices

The joint leadership unanimous consent agreement requires that the majority and minority leaders give the Speaker a list showing how each party's time for morning hour debates will be allocated among its Members. The chair follows this list in recognizing Members for morning hour debates. A majority party Representative appointed as "Speaker *pro tempore*" often presides in the chair during morning hour debates. During each morning hour debate period, he alternates recognition between the majority and minority for both the *initial* morning hour speech (i.e., if a majority Member is recognized for the first speech on Monday, a minority Member is recognized

⁶ The Speaker first announced this policy on January 4, 1995. The policy was extended to cover the 111th Congress on January 6, 2009. See *Congressional Record*, daily edition, January 6, 2009, p. H21.

⁷ *Congressional Record*, daily edition, vol. 141, May 12, 1995, p. H4901.

⁸ For example, see *Congressional Record*, daily edition, vol. 143, July 29, 1997, pp. H5921-H5926. Morning hour debates began at 9:00 a.m. on this day when the meeting hour was set for 10:00 a.m.

for first speech on Tuesday) and *subsequent* ones. Individual Members must limit their morning hour debate speech to five minutes or less. Only the majority leader, minority leader, or the minority whip may deliver a morning hour debate speech longer than five minutes.

Reservation Requirements

Members reserve time for morning hour debates through their party leadership: *Democratic* Representatives reserve time through the Office of the Minority Leader, and *Republican* Members do so through the Republican cloakroom or the party leadership desk on the House floor. Reservations can be made no earlier than one week before the speech date. While most Members reserve five minutes for their morning hour speech, some Representatives reserve as little as one minute.

Various Uses of Morning Hour Debates

Individual Members often use the morning hour debate period to deliver speeches on subjects unrelated to legislation before the House. They deliver eulogies and tributes to individuals and organizations from their congressional district. They also use the period to deliver speeches on broad policy issues and to present their views on local, national, and international events.

Because morning hour debates take place early in the day, they are sometimes used by individual Members and the party leadership to share information relevant to that day's session. For example, Members deliver morning hour speeches to explain a bill they are introducing that day and to invite cosponsors. The chairman of the Rules Committee has spoken during morning hour debates to announce an emergency meeting of the committee.⁹ This use of morning hour debates to disseminate information among colleagues parallels how Members often employ one-minute speeches as a visual form of the "Dear Colleague" letter.

On occasion, Members of the same party use the morning hour debate period to deliver a series of speeches about the party's views on a particular bill or policy issue. For example, on February 11, 1997, four minority party Members delivered morning hour debate speeches on campaign finance reform.¹⁰ This coordinated use of morning hour debates by party Members is similar to how the parties sometimes use "leadership special orders" (i.e., the first hour of longer special orders that is usually reserved for the party's leadership or a designee) to focus on a specific theme with participation from other party Members.

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⁹ *Congressional Record*, daily edition, vol. 143, April 14, 1997, p. H1443.

¹⁰ *Congressional Record*, daily edition, vol. 143, February 11, 1997, pp. H409-H411.

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